



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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April 4, 2005

BILL PTACEK, DIRECTOR, KING COUNTY RURAL LIBRARY DISTRICT
C/O STEPHEN A SMITH, PRESTON GATES & ELLIS LLP
925 FOURTH AVE STE 2900
SEATTLE WA 98104-1158

Subject: Complaint filed by Will Knedlik Alleging Violation of RCW 42.17.130 – PDC Case No. 05-125

Dear Mr. Ptacek:

The Public Disclosure Commission (PDC) staff has completed its investigation of the complaint filed by Will Knedlik against you. With respect to your actions that were alleged in the complaint to have violated RCW 42.17.130, those alleged actions began during a time a court injunction was in effect and when the constitutionality of the statute was being considered by the courts. Your alleged actions also began during a time the PDC would not have been available to answer questions or provide guidance regarding the law, as it otherwise normally would have done. Your alleged actions concluded, however, after the permanent injunction had been lifted. In light of these unusual circumstances, with the concurrence of the Public Disclosure Commission, I have dismissed the complaint filed by Mr. Knedlik alleging that you violated RCW 42.17.130 by promoting passage of Proposition 1 on the September 14, 2004 primary election ballot. Enclosed is a copy of the dismissal letter sent to the complainant.

PDC staff believes there is evidence that you used resources and facilities of KCLS to promote passage of Proposition #1 on the 2004 primary election ballot in violation of RCW 42.17.130, by developing and implementing several communication tools that taken as a whole, constituted a campaign to promote passage of the ballot measure. In addition, the messages on the video, the brochures handed out in libraries, postcards mailed to residents of the district, and bookmarks distributed to patrons of the libraries included promotional language or images. However, because this action began during a time the injunction was in effect and when no guidance was available from PDC staff, we will not be taking enforcement action in this instance.

I caution you to be aware of the actions you take in your official capacity as Director of the King County Rural Library District, and to avoid using public facilities in a manner that promotes or opposes a ballot proposition. Please carefully review any election-related document or video to verify that it is a fair and objective presentation of the facts. Further, review the overall impact of a combination of communication tools used to provide information about a ballot measure

*"The public's right to know of the financing of political campaigns and lobbying
and the financial affairs of elected officials and candidates far outweighs
any right that these matters remain secret and private."*

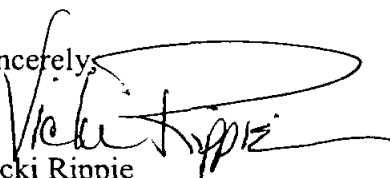
RCW 42.17.010 (10)



that, taken as a whole, constitute a campaign to promote its passage, and refrain from engaging in an effort that promotes or opposes any ballot measure. As stated on page 4, PDC Interpretation Guidelines for Local Government Agencies in Election Campaigns, "*Agencies need to be aware, however, that in no case will the PDC view a marketing or sales effort related to an election as normal and regular conduct*" even if such efforts had been undertaken for other projects. In the future, if it appears to PDC staff that you used or authorized the use of public facilities in violation of RCW 42.17.130, enforcement action will likely be taken against you.

If you have questions, please feel free to contact Phil Stutzman, Director of Compliance, at (360) 664-8853 or toll free at 1-877-601-2828.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Rippie", written over a horizontal line.

Vicki Rippie
Executive Director

Enclosure